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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/696,936	10/30/2003	Andrew Rodney Ferlitsch	SLA1240	1036
7590 Gerald W. Maliszewski P.O. Box 270829 San Diego, CA 92198-2829				
EXAMINER DHINGRA, PAWANDEEP				
ART UNIT 2625		PAPER NUMBER		
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/696,936

Applicant(s)

FERLITSCH, ANDREW RODNEY

Examiner

PAWANDEEP S. DHINGRA

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-946)
- 3) ☐ Information Disclosure Statement(s) (PTO/SI/02)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Examiner Notes

Examiner cites particular paragraphs, columns and line numbers in the references as applied to the claims below for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested that, in preparing responses, the applicant fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-2, and 11-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Shimizu, US 2002/0054313.

Re claim 1, Shimizu discloses a scan subsystem document processing method (see figure 1), the method comprising: at a document processing application (i.e. application program 201), accepting graphics device interface (GDI) data; and, converting the GDI data into an internal representation (IR) data format proprietary to the document processing application (see paragraphs 51-56).

Re claim 2, Shimizu further discloses parsing the IR data into a standard language document format (i.e. PDL) specified for use with the document processing application; and, saving the standard language document in storage memory (see paragraphs 34-56).

Re Claims 11-12, claims 11-12 recite identical features, as claims 1-2, except claims 11-12 are apparatus claims. Thus, arguments made for claims 1-2 are applicable for claims 11-12.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
2. Claims 3-7, 10, 13-17, and 20-21 are rejected under 35 U.S.C. 103 as being unpatentable over Shimizu, US 2002/0054313 in view of Mori et al., US 2002/0069228.

Re claim 3, Shimizu fails to further disclose supplying the IR data to a user interface (UI) display; accepting user commands at the UI; and, manipulating the IR data in response to the user commands

However, Mori teaches supplying the IR data to a user interface (UI) display; accepting user commands at the UI; and, manipulating the IR data in response to the user commands (see paragraphs 173-208).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention to modify the printing & image processing system as disclosed by Shimizu to include the print control method as taught by Mori for the benefit of having a print control method in a document processing system for providing an edit function for document data generated by a document processing program as taught by Mori in paragraph 1.

Re claim 4 Shimizu fails to further disclose accepting GDI data at a document processing application includes accepting the GDI data at a document processing application selected from the group including text, vector, and graphics applications.

However, Mori teaches accepting GDI data at a document processing application includes accepting the GDI data at a document processing application selected from the group including text, vector, and graphics applications (see paragraphs 173-185).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention to modify the printing & image processing system as disclosed by Shimizu to include the print control method as taught by Mori for the benefit of having a print

control method in a document processing system for providing an edit function for document data generated by a document processing program as taught by Mori in paragraph 1.

Re claim 5, Shimizu discloses at a scan subsystem (see figure 1), accepting scan data (see paragraphs 41 & 65); converting the scan data into device dependent interface (DDI) data (see paragraphs 41-65);

Shimizu fails to further disclose converting the DDI data to GDI data.

However, Mori teaches converting the DDI data to GDI data (see paragraphs 321-327).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention to modify the printing & image processing system as disclosed by Shimizu to include the print control method as taught by Mori for the benefit of having a print control method in a document processing system for providing an edit function for document data generated by a document processing program as taught by Mori in paragraph 1.

Re claim 6, Shimizu discloses accepting scan data includes accepting proprietary formatted scan data (see paragraph 41); wherein converting the scan data into DDI data includes converting the proprietary scan data to an operating system (OS) specific DDI data format (see paragraph 51-56) (see also paragraph 34-65).

Shimizu fails to further disclose wherein converting the DDI data to GDI data includes converting the OS specific DDI data to a standard GDI data format.

However, Mori teaches converting the DDI data to GDI data includes converting the OS specific DDI data to a standard GDI data format (see paragraph 173-208; 321-327).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention to modify the printing & image processing system as disclosed by Shimizu to include the print control method as taught by Mori for the benefit of having a print control method in a document processing system for providing an edit function for document data generated by a document processing program as taught by Mori in paragraph 1.

Re claim 7, Shimizu discloses accepting scan data includes accepting scan data from a device selected from the group including a scanning device, facsimile device, electronic whiteboard, tablet personal computer, and a storage device (see paragraphs 34-65).

Re claim 10, Shimizu further discloses converting IR data into GDI data; at a print subsystem, converting the GDI data into DDI data; converting the DDI data into printer-ready data (see paragraphs 34-65).

Mori also teaches converting IR data into GDI data; at a print subsystem, converting the GDI data into DDI data; converting the DDI data into printer-ready data (see paragraph 173-208; 321-327).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention to modify the printing & image processing system as disclosed by Shimizu to include the print control method as taught by Mori for the benefit of having a print control method in a document processing system for providing an edit function for document data generated by a document processing program as taught by Mori in paragraph 1.

Re Claims 13-17, claims 13-17 recite identical features, as claims 3-7, except claims 13-17 are apparatus claims. Thus, arguments made for claims 3-7 are applicable for claims 13-17.

Re claim 21, Shimizu further discloses a memory having an interface to accept the standard language document for persistent storage (see paragraphs 34-65, 72-83).

Mori also teaches a memory having an interface to accept the standard language document for persistent storage (see paragraph 173-208).

3. Claims 8-9, and 18-19 are rejected under 35 U.S.C. 103 as being unpatentable over Shimizu, US 2002/0054313 in view of Mori et al., US 2002/0069228 further in view of well known art.

Re claim 8, Shimizu discloses converting scan data to DDI data (see paragraph 41-65).

Shimizu fails to explicitly disclose scan data includes journaled scan data. However, Official Notice is taken to note that ability to scan journaled data is notoriously well known and commonly used in the art. It would have been obvious to scan documents including journaled documents in addition to other common document formats and then convert them to DDI data for the benefit of providing the user with increased flexibility and options.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention to modify the printing & image processing system as disclosed by Shimizu to include the print control method as taught by Mori for the benefit of having a print control method in a document processing system for providing an edit function for document data generated by a document processing program as taught by Mori in paragraph 1.

Re claim 9, Shimizu discloses converting scan data includes: despooling the scan data; converting the scan data to DDI data (see paragraphs 34-65, 72-83).

Shimizu fails to explicitly disclose scan data includes journaled scan data; respooling the DDI data; and, wherein converting the DDI data to GDI data includes subsequently despooling the DDI for conversion into GDI data.

However, Mori teaches respooling the DDI data; and, wherein converting the DDI data to GDI data includes subsequently despooling the DDI for conversion into GDI data (see paragraph 173-208; 321-327).

Official Notice is taken to note that ability to scan journaled data is notoriously well known and commonly used in the art. It would have been obvious to scan documents including journaled documents in addition to other common document formats and then convert them to DDI data for the benefit of providing the user with increased flexibility and options.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention to modify the printing & image processing system as disclosed by Shimizu to include the print control method as taught by Mori for the benefit of having a print control method in a document processing system for providing an edit function for document data generated by a document processing program as taught by Mori in paragraph 1.

Re Claims 18-19, claims 18-19 recite identical features, as claims 8-9, except claims 18-19 are apparatus claims. Thus, arguments made for claims 8-9 are applicable for claims 18-19.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to PAWANDEEP S. DHINGRA whose telephone number is (571)270-1231. The examiner can normally be reached on M-F, 9:30-7:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Twyler L. Haskins can be reached on 571-272-7406. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/P. D./
Examiner, Art Unit 2625

/Twyler L. Haskins/

Supervisory Patent Examiner, Art Unit 2625